

TTAB

Examining Attorney: GOODSID, IRA J.

Serial Number: 76/716810



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Regarding: Application No. 76/716,810
Mark: FABRIC FIRE GARD
International Class No. 001
Filing Date August 25, 2014
Originally Stated First Use Anywhere and First Use in Commerce: As Early as 2001
Request for Reconsideration with Amendment and Transmittal of Declarations

Attention: Law Office No. 101, Examining Attorney Ira J. Goodsaid
I certify that this correspondence is deposited with the U.S. Postal Service in an envelope having sufficient postage as first class mail addressed to the Office address below on January 6, 2016.
Christopher John Rudy: Christopher John Rudy (38 pages) 1/6/2016.

Commissioner for Trademarks
Post Office Box No. 1451
Alexandria, VA 22313-1451

To the Commissioner for Trademarks:

Thank you for the JUL - 6 2015 OFFICE ACTION, its refusal respectfully traversed. In reply, please reconsider, enter this amendment, and in light of it and the declarations transmitted herewith as well as the remarks of record and below, withdraw the refusal and pass the case on to publication.

A Notice of Appeal with its scheduled fee of \$100.00 is submitted concurrently herewith.

As the Dates of First Use Anywhere and First Use in Commerce:

Please amend the dates of first use anywhere and first use in commerce as set forth below.

Date of First Use Anywhere: As early as 1998 by applicant's predecessor in title.

Date of First Use in Commerce: As early as 1998 by applicant's predecessor in title.

Transmittal of Declarations:

Transmitted herewith are the following declarations:

Declaration by William Kish (8 pages including its attachments); and
Declaration of Christopher Rudy (29 pages including its attachments).

Remarks:

The present amendment to the dates of first use anywhere and first use in commerce corrects an understanding of those dates by the Applicant. Verification of the same is found in the Declaration of Christopher Rudy, penultimate paragraph.

Careful review of the present declarations and remarks of record, in addition to the present remarks and applicable case law, shows that the present mark distinguishes over the mark FireGuard of Reg. No. 3,869,687. Significant differences exist between the marks, which are perceptible to customers and potential customers in the field. Ample opportunity was provided for any actual confusion to arise, and no such thing occurred, showing that confusion was not likely and so never occurred (zero chance) and accordingly is not likely. The customers and potential customers take great care in deciding whether to purchase the products owing to, among other things, the critical nature of the goods, and the extremely high cost of the substrates and hence associated structures protected thereby, not to forget their very lives. They carefully perceive the differences in the words and presentation, through spelling and separation into discrete words. Taken in its entirety, in light of practical commercial realities, the present mark makes a completely different commercial impression than the applied mark.

Respectfully submitted,

Christopher John Rudy, PTO #31873
209 HURON AVE, PORT HURON, MI 48060
Telephone (810) 982-4221

Date: January 6, 2016 A.D.
01/12/2016 DJEFFLOH 00000010 76/716810

Encl: Declarations

100.00 UP



01-11-2016

U.S. Patent and Trademark Office #72

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Regarding: Application No. 76/716,810
Mark: FABRIC FIRE GARD
International Class No. 001
Filing Date August 25, 2014
Originally Stated First Use Anywhere and First Use in Commerce: As Early as 2001
Notice of Appeal with Transmittal of Fee

Attention: Appeal from Law Office No. 101
Examining Attorney Ira J. Goodsaid

I certify that this correspondence is deposited with the U.S. Postal Service in an envelope having sufficient postage as first class mail addressed to the Office address below on January 6, 2016.

Christopher John Rudy: Christopher John Rudy (1 page + fee) 1/6/2016.

Commissioner for Trademarks
Post Office Box No. 1451
Alexandria, VA 22313-1451

To the Commissioner for Trademarks:

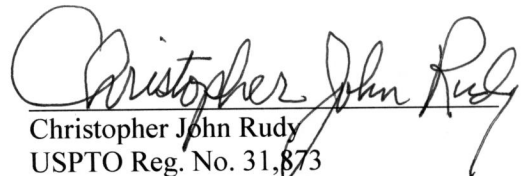
The Applicant hereby appeals from the JUL – 6 2015 OFFICE ACTION (FINAL ACTION) refusing registration of the mark of this application.

Transmitted herewith is the scheduled fee of \$100.00 (Check No. 1899) for the appeal.

A request for reconsideration (Request for Reconsideration with Amendment and Transmittal of Declarations) is submitted concurrently herewith.

Respectfully,

Date: January 6, 2016 A.D.



Christopher John Rudy
USPTO Reg. No. 31,873
209 Huron Avenue, Suite 8
Port Huron, Michigan 48060
Telephone (810) 982-4221

Encl: Fee

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application No. 76/716,810
Mark: FABRIC FIRE GARD
International Class 001

Attn: Law Office 101
Examining Attorney
Ira J. Goodsaid

Filing Date Aug. 25, 2014

First Use and Use in Commerce: As Early as 2001

Declaration by William Kish

Commissioner for Trademarks

Post Office Box No. 1451

Alexandria, VA 22313-1451

To the Commissioner for Trademarks:

I, William Kish, state and declare as follows:

I am Member/Owner of the Applicant, No-Burn Investments, L.L.C., which has authorized marketing of the water-based fire-retardant compositions of this application through No-Burn, Inc. under the trademark FABRIC FIRE GARD. I am President of No-Burn, Inc., and have been through the introduction and life of FABRIC FIRE GARD water-based fire retardant.

I stand by my Declaration of William Kish timely filed under a certificate of mailing on June 10, 2015 and received (filed) in the Patent and Trademark Office on June 15, 2015. I add the following:

Attached are printouts of a certificate of Registered Flame Resistant Product from the California Department of Forestry and Fire Protection, Office of the State Fire Marshall, Registration No. C-21501, as posted on the website of No-Burn, Inc. (www.noburn.com); of California State Fire Marshall Flame Retardants – Chemicals List of Active Record(s), pages 8 and 10 of 12, as posted on the Office of the State Fire Marshall website (osfm.fire.ca.gov); of the first set of online search results for “flame retardant spray for fabric, clothing, drapes and carpet,” 2 of 2 pages in that first set for January 4, 2016; and of a printout of ForceField® FireGuard® product as sold through Jo-Ann fabric and craft stores®.

My earlier declaration verified that No-Burn’s FABRIC FIRE GARD water-based fire-retardant has been marketed since at least about 2001 through authorized No-Burn dealers plus since about June 7, 2003 through retail sales, and that this marketing has been and is national in scope, with substantial and vigorous advertising and sales. The certificate shows that the present mark designates a product that is a Registered Flame Resistant Product of No-Burn, Inc. in California, with page 8 of the List of Active Record(s) showing that it was originally on that list as of February 9, 1999; the online search results show just one example of national scope marketing of the product designated by the present mark, as, for example, the fifth entry, Amazon.com: No-Burn Fabric Fire Gard Spray ...” Other marketing avenues are employed. Sales of the product designated by the present mark remain substantial and vigorous as well.

Substantial and vigorous advertising and sales that is national in scope is not a nebulous claim. Any reasonable person in the field knows with reasonable certainty what is conveyed by such language. In fact, similar claim was properly made by Richard T. Bilbro in the Response to Office Action filed in the ‘283 application, of record, which led to the registration of the mark FireGuard.

My earlier declaration verified that, in all those years, I was aware of *no* case of actual customer confusion of No-Burn’s FABRIC FIRE GARD with any other product, including FIREGUARD® fire retardant from Shield Industries, Inc., which according to the Patent and Trademark Office records for registration No. 3,869,687 was first used on February 26, 2003 and first used in commerce on March 1, 2003, and nationally sold as ForceField FireGuard thereafter per the June 18, 2010 Response to Office Action (copy attached to the Declaration of William Kish) in Serial No. 77/957,283 that led to the registration under consideration. I am *still* aware of *no* case of actual customer confusion of No-Burn’s FABRIC FIRE GARD with any other product, including FIREGUARD® fire retardant. And, that lack of any actual customer confusion is found in a very crowded and active field of business, including among many others the prominent display, “Shield Industries, Inc – FireGuard® For Fabrics ...,” which is the eleventh entry on the list. Plus, the Response to Office Action filed in the ‘283 application, of record,

shows that Mr. Bilbro verified: "We have been selling ForceField FireGuard nationally for seven years. During those seven years we have had no incident of conflict in brand recognition." That unqualified "no incident of conflict" statement shows among other things that there is no conflict of FIREGUARD in brand recognition with the present, widely earlier-used mark, FABRIC FIRE GARD, and how careful and discriminating customers and potential customers actually are in the pertinent field.

My earlier declaration verified that the trademarks of this application and the registration differ significantly, contrasting the mark FABRIC FIRE GARD with FIREGUARD; noting that the goods when sold by dealers are carefully protected, and the marks making a significantly different presentation as well, with visual impressions and stimulations a prime distinguishing factor at retail. Thus, there is a phrase, "FABRIC FIRE GARD," versus just one word. In the phrase, "FABRIC FIRE GARD," the customer notices the word, "GARD," which attracts and stimulates the mind in a unique way through its unique spelling and visual and mental appeal, with the words, "FABRIC FIRE," also playing a significant role in identification of us as sole source of the water-based fire-retardant compositions. Moreover, the customer is attracted by and distinguishes the source of our goods with reference to the entire mark, FABRIC FIRE GARD, which informs with particularity the goods, their benefits and uses, and their source. Note how the commercial impression of the marks contrast further by contrast of the Jo-Ann fabric and craft store® printout advertising ForceField® FireGuard® with the specimens of the present mark of record with the original application papers filed on August 25, 2014. Also note that the State of California had no trouble distinguishing the products or their marks per pages 8 and 12 of the list. Thus, the compared marks taken in their entireties convey a significantly different commercial impression.

As I verified previously, a practical matter, if there were a likelihood of confusion, it would have materialized through actual confusion during the *long* years of active marketing as noted above. It did not. It did not because the commercial realities of the marketplace, to include the facts that the marks significantly differ in important details, and the market is very crowded and active, and that, as I also verified previously, the customers who purchase fire retardant products are very careful about the brand and source of the product they would purchase since their property and very lives depend on it, as is the case with potential customers as well. The mark, FABRIC FIRE GARD, enjoys strong brand recognition.

I believe that these factors are of overwhelming importance, especially in this crowded field with respect to discriminating customers and potential customers, over such a long time, now over a decade without actual confusion. To repeat, if there were any *likelihood* of confusion, if it had been truly likely, ample opportunity was provided for confusion, and confusion would have materialized in the over *dozen* years since FireGuard was used in national commerce. Again, it has not.

I have no reason to state anything but the truth and what I believe to be the truth here, and in my Declaration of William Kish. My declarations were and are made under penalty of perjury and with the knowledge that willful false statements may jeopardize the validity of this application or any registration issued on it. Accordingly, an invalid registration would be of no commercial value; rather, it would be a commercial liability. So, commercial realities would appear to compel giving weight to my declarations.

Therefore, in line with what I verified previously, it would be impractical to assume any likelihood of consumer confusion with such overarching commercial realities in mind.

All statements made herein, of my own knowledge are true, and on information and belief are believed to be true, and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such willful false statements may jeopardize the validity of this application or any registration issued thereon.

Dated: January 4, 2016 A.D.


William Kish



**CALIFORNIA DEPARTMENT OF FORESTRY and FIRE PROTECTION
OFFICE OF THE STATE FIRE MARSHAL**

REGISTERED FLAME RESISTANT PRODUCT

Product:

NO-BURN • FABRIC FIRE GARD

Registration No.

C-21501

Product Marketed By:

**NO-BURN, INC
1392 HIGH STREET, SUITE 211
WADSWORTH, OH 44281**

This product meets the minimum requirements of flame resistance established by the California State Fire Marshal for products identified in Section 13115, California Health and Safety Code.

The scope of the approved use of this product is provided in the current edition of the CALIFORNIA APPROVED LIST OF FLAME RETARDANT CHEMICALS AND FABRICS, GENERAL AND LIMITED APPLICATIONS CONCERNS published by the California State Fire Marshal.

Deputy State Fire Marshal

Expire: 6/30/2016

4/17/2014

CALIFORNIA STATE FIRE MARSHAL
FLAME RETARDANTS - CHEMICALS
LIST OF ACTIVE RECORD(S). (BY ALPHABETICAL ORDER)

Page 8 of 12

ID NO.	COMPANY MAIL ADDRESS CITY/STATE/ZIP	COMPANY LOCATION CITY/STATE/ZIP TELEPHONE	ORG. LIST	APPL. NAME PROD. CHAR LABEL	STATUS	RENEWAL DATE EXPIRES DATE ROC NUMBER
CONTACT PERSON(S)						
(C-215.01)	NO-BURN, INC 1392 HIGH STREET, SUITE 211	1392 HIGH STREET, SUITE 211 WADSWORTH, OH 44281		NO-BURN @ FABRIC FIRE GARD PHOSPATE SALTS		6/30/2014
WILLIAM KISH	WADSWORTH, OH 44281	(800) 989-8577	2/9/1999	U00025	A	
(C-243.01)	NO-BURN, INC. 1392 HIGH STREET, SUITE 211	1392 HIGH STREET, SUITE 211 WADSWORTH, OH 44281		NO-BURN@ ORIGINAL ALKALINE SALTS		6/30/2014
WILLIAM KISH		(800) 989-8577	4/26/2010	U00009	A	
(C-215.02)	NO-BURN, INC 1392 HIGH STREET, SUITE 211	1392 HIGH STREET, SUITE 211 WADSWORTH, OH 44281		NO-BURN CHRISTMAS TREE FIRE GARD ALKALINE SALTS		6/30/2014
WILLIAM KISH	WADSWORTH, OH 44281	(800) 989-8577	8/25/2003	U00026	A	
(C-182.01)	NOCHAR INC. 8650 COMMERCE PARK #K	8650 COMMERCE PARK #K INDIANAPOLIS, IN 46268		NOCHAR'S FIRE PREVENTER PINE, DOUGLAS FIR, CARDBOARD, RED OAK		6/30/2014
DENNIS CAMPBELL	INDIANAPOLIS, IN 46268	(317) 613-3046	8/27/1993	U00092	A	
(C-205.01)	NOFIRE TECHNOLOGIES INC 5 JAMES ST	5 JAMES ST SOUTH HACKENSACK, NJ 07606		NOFIRE A18 INTUMESCENT		6/30/2014
SAM GOTTFRIED	SOUTH HACKENSACK, NJ 07606	(201) 818-1616	7/25/1996	U00101	A	
(C-153.01)	NY FIRE-SHIELD PO BOX 7305	PO BOX 7305 AUBURN, NY 13022		INSPECTA-SHIELD COTTON TWILL/POLYESTER/OLEFIN		6/30/2014
PATRICK BUMPUS	AUBURN, NY 13022	(315) 255-1006	3/15/1988	U00004	A	
(C-027.04)	PEAK SEASONS 6899 ED PERICK STREET	6899 ED PERICK STREET RIVERSIDE, CA 92504		SNOBOND FLOCKING		6/30/2014
TOM R. LEONARD	RIVERSIDE, CA 92504	(951) 351-7778	4/15/1982	U00065	A	
(C-149.01)	PEAK SEASONS 6899 ED PERICK STREET	6899 ED PERICK STREET RIVERSIDE, CA 92504		EVERGREEN CHRISTMAS TREE FR INTERIOR USE. FRESH CUT CHRISTMAS TREES		6/30/2014
TOM R LEONARD	RIVERSIDE, CA 92504	(951) 351-7778	7/8/1987	U00066	A	
(C-230.01)	PIEDMONT CHEMICAL INDUSTRIES I, LLC 331 BURTON AVENUE	331 BURTON AVENUE WADSWORTH, OH 44281		FLAME RETARDANT FH USED ONLY ON 100% COTTON		6/30/2014
KEITH HUNTER		(336) 885-5131	8/7/2007	U00037	A	

4/17/2014

CALIFORNIA STATE FIRE MARSHAL
FLAME RETARDANTS - CHEMICALS
LIST OF ACTIVE RECORD(S). (BY ALPHABETICAL ORDER)

Page 10 of 12

ID NO.	COMPANY MAIL ADDRESS CITY/STATE/ZIP	COMPANY LOCATION CITY/STATE/ZIP TELEPHONE	ORG. LIST	APPL. NAME PROD. CHAR LABEL	STATUS	RENEWAL DATE EXPIRES DATE ROC NUMBER
(C-248.01)	ROSCO LABORATORIES 52 HARBOR VIEW AVENUE	52 HARBOR VIEW AVENUE		ROSCOFAMEX DF LIQUID FR - INTERIOR		6/30/2014
JENNY KNOTT		(800) 767-2669	5/28/2010	U00056	A	
(C-249.01)	ROSCO LABORATORIES 52 HARBOR VIEW AVENUE	52 HARBOR VIEW AVENUE		ROSCOFAMEX SF LIQ FR FOR SYN FAB COTTON/SYN BLENDS		6/30/2014
JENNY KNOTT		(800) 767-2669	5/28/2010	U00057	A	
(C-250.01)	ROSCO LABORATORIES 52 HARBOR VIEW AVENUE	52 HARBOR VIEW AVENUE		ROSCOFAMEX PC LIQ FR USE ON PAPER & UN-WAXED CARDBOARD		6/30/2014
JENNY KNOTT		(800) 767-2668	5/28/2010	U00058	A	
(C-251.01)	ROSCO LABORATORIES 52 HARBOR VIEW AVENUE	52 HARBOR VIEW AVENUE		ROSCOFAMEX WD LIQ FR UNTREATED WOOD, PLYWOOD-INTERIOR		6/30/2014
JENNY KNOTT		(800) 767-2669	5/28/2010	U00059	A	
(C-252.01)	ROSCO LABORATORIES 52 HARBOR VIEW AVENUE	52 HARBOR VIEW AVENUE		ROSCOFAMEX NF LIQ FR USE ON COTTON & OTHER NAT FIBERS		6/30/2014
JENNY KNOTT		(800) 767-2669	5/28/2010	U00060	A	
(C-261.01)	RUDOLF-VENTURE CHEMICAL, INC 452 LAKESHORE PKWY, SUITE 210	452 LAKESHORE PKWY, SUITE 210		NEO-FLAME 153-3 HALOGENATED PHOSPHATE		6/30/2014
ELDEN LYNWOOD FRAZIER		(803) 328-9812	2/14/2014	U00103	A	
(C-254.01)	SHIELD INDUSTRIES, INC. 131 SMOKEHILL LANE	131 SMOKEHILL LANE		FORCEFIELD FIREGUARD FLAME RETARDANT USE: 100% POLY; 100% COT; 60/40% COT/POLY		6/30/2014
ROBERT LASNIK		(800) 332-6327	12/2/2010	U00064	A	
(C-069.02)	SPARTAN PO BOX 395	PO BOX 395 CRYSTAL LAKE, IL 60039-0395		FI-RETARD 5M SYNTHETICS, CELLULOSICS INTERIOR USE ONLY		6/30/2014
JC KUETEMEYER	CRYSTAL LAKE, IL 60039-0395	(815) 459-8500	5/11/1982	U00052	A	
(C-069.00)	SPARTAN FLAME RETARDANTS INC PO BOX 395	PO BOX 395 CRYSTAL LAKE, IL 60039-0395		DUPONT X12 FLAME RETARDANT CELLULOSICS INTERIOR USE ONLY		6/30/2014
JC KUETEMEYER	CRYSTAL LAKE, IL 60039-0395	(815) 459-8500	7/1/1980	U00050	A	

flame retardant spray for fabric clothing drapes and carpet

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Flame Retardant Spray - Safe, Spray-able Fire Retardants

www.frctexas.com/

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Fire Retardant Spray - Biodegradable Non-Toxic Spray

www.coldfiredirect.com/

Easy Application NFPA 701 Approved

Environmentally Friendly · Life Code 101 Approved

Fire Block - Retardant Cold Fire Extinguishers

Cold Fire - Suppressant Videos

Flame Retardant Fabric Spray - Amazon.com

www.amazon.com/

Buy **flame retardant fabric spray** at Amazon! Free Shipping on Qualified Orders.

★★★★★ rating for amazon.com

MTI Midwest Thermal Spray - metaltechcoatings.com

www.metaltechcoatings.com/

Wear Resistance, Repair, & Restore Metal Coatings and Machining

Amazon.com: No-Burn Fabric Fire Gard Spray,...

<http://www.amazon.com/No-Burn-Fabric-Fire-Spray-32-Ounce/dp/B002TKLD14>

For use on interior **carpet**, draperies and **curtains** including upholstered items made of ... No-Burn 1102A Original **Fire Retardant Spray**, 32-Ounce I tested it on cotton (socks), polyester (chunk of table **cloth**), and a paper towel (just curious).

Fire Retardant Fabric | Flame Retardant Fabric | ...

<http://fire-retardant-fabric.info/>

curtains and furniture **Fabric Safe** is a **spray** on **fire retardant fabric coating** for **fabrics** such as: **drapes**, theater **curtains**, upholstery, mattresses, **clothing**, **carpets** ...

fabricsafe.com - fabric safe fire retardant spray

<http://www.fabricsafe.com/>

1-800-333-9197, **Fabric Safe fire retardant** is a **flame retardant fabric spray** on ... **drapes**, theater **curtains**, upholstery, mattresses, bedding, **clothing**, **carpets**, wall ...

Fabric Shield F-2000 - Universal Fire Shield

<http://www.firechemicals.com/FabricShield.html>

Fabric retardant, spray on retardant applications, **fabric flame retardant**, textile ... Aircraft interiors, Upholstery, **Carpets**, **Drapes**, Mattress ticking, Canvas, nylon ...

Fire REtardant Fabric coatings

<http://fireretardedfabric.com/>

Fire retarded fabric coating is a **spray** on treatment for **drapes**, furniture, ... textiles such as: **drapes**, theater **curtains**, upholstery, mattresses, **clothing**, **carpets**, wall ...

Fire-pooof Non-Toxic Fire Retardant Spray for...

<http://www.dharmatrading.com/tools/safe-t-guard-fire-retardant-spray-for-most-fabrics.html>

Fire-pooof **Fire Retardant Spray** For (Most) **Fabrics** (View Full Size) ... Used to treat **curtains**, booth **drapes**, backdrops, wall coverings, furniture, etc. Also works on cardboard, wood, some foam, and paper. NOT INTENDED FOR CLOTHING!

Shield Industries, Inc - FireGuard® For Fabrics...

<http://shieldindustries.com/fireguardfabric.htm>

Shield Industries, Inc is the leading manufacturer in Fire Safety Products. Shield Industries, Inc is a manufacturer of Intumescent Coatings, **Fire Retardant Sprays**, and **Flame Retardant** products. ... that can be easily and safely applied to **clothing**, draperies, furniture, **carpets**, rugs, and/or numerous ... **Curtains** and Draperies.

Flame Retardant Basics - North American Flame...

<http://flameretardants.americanchemistry.com/FAQs/Flame-Retardant-Basics.html>

Flame retardants are a key component in reducing the devastating impact of fires on ... and textile fibers: Foam upholstery, **Curtains** and **fabric** blinds, **Carpets**.

Fire Retardant FPC Penetrating Treatment for...

Ads

Phosphorus Oxydichloride

www.qdfinechem.com/

Find quality suppliers here! Lower price, high quality
Polyacrylamide - Photoinitiator

Fabric Flame Retardant

www.about.com/Fabric+Flame+Retardant

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http://www.fireretardantsinc.com/fpc/fabric_barrier.html
flame retardant spray for fabric clothing drapes and carpet etc. Search of
 cotton, wool, silk, linen, canvas, burlap, rayon and other absorbive ...

Performance Flame Retardant Spray: Fabric, wood,...

<http://www.fireproofspray.co.uk/>

Buy **Flame retardant spray** for diy application online. Certificate for treatment. Free advice.

Ads related to: **flame retardant spray for fabric clothing drapes and carpet**

Flame Retardant Spray - Safe, Spray-able Fire Retardants

www.frcetexas.com/

Easy To Apply, Call Us To Order!

Eco-Friendly · Call Us & Learn More · Non Toxic

Fire Retardant Spray - Biodegradable Non-Toxic Spray

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Easy Application NFPA 701 Approved

Environmentally Friendly · Life Code 101 Approved

Fire Block - Retardant Cold Fire Extinguishers

Cold Fire - Suppressant Videos

Flame Retardant Fabric Spray - Amazon.com

www.amazon.com/

Buy **flame retardant fabric spray** at Amazon! Free Shipping on Qualified Orders

★★★★★ rating for amazon.com

MTI Midwest Thermal Spray - metaltechcoatings.com

www.metaltechcoatings.com/

Wear Resistance, Repair, & Restore Metal Coatings and Machining

Related searches

fire retardant spray for fabric

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fabric and craft stores

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on orders \$100+. APPLY: SANTAXPRESS >

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Force Field Fire Guard

★★★★★ [Write a review](#)

Item # 9453416

\$12.99

Delivery: In Stock and Ready to Ship

Quantity

1

Add to My Bag

Add to Wishlist

Store Availability: 12 In Stock

Your Store: Fort Gratiot, MI (find another store)

Description

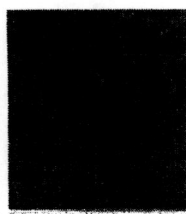
Shipping & Returns

Reviews

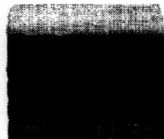
ForceField® FireGuard® is the easy and effective way to provide flame-retardant protection to clothing, draperies, furniture, carpets, rugs, wall treatments and numerous other fabric surfaces. FireGuard® has been tested and proven effective in accordance with the testing procedures of the National Fire Protection Association (Test Method NFPA 701) and CalFire 1237.1. It is an environmentally friendly solution that contains no hazardous materials, making it safe for use on fabrics and a variety of other flammable or combustible materials.

- Effectively retards flames when applied to water-safe fabrics
- Perfect for clothing, draperies, furniture, carpets rugs and more
- Safe to use: nonhazardous formula is environmentally friendly
- Easy to apply- can be used in homes, offices, boats or autos
- Proven effective using National Fire Protection Association Methods
- One gallon covers 200 to 500 square feet

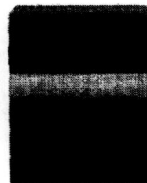
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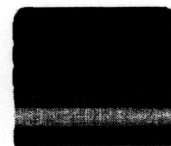
Country Classic Cotton Quilt Fabric-Solid



Anti Pill Fleece Fabric Solids



Blizzard Fleece Fabric Solids



Symphony Broadcloth Solid Cotton Fabric

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application No. 76/716,810
Mark: FABRIC FIRE GARD
International Class No. 001
Filing Date August 25, 2014

Attn: Law Office 101
Examining Attorney
Ira J. Goodsaid

Originally Stated 1st Use and Use in Commerce: As Early as 2001 Declaration of Christopher Rudy

Commissioner for Trademarks, P.O. Box 1451, Alexandria, VA 22313-1451:

I, Christopher John Rudy, state and declare as follows:

I am the attorney of record representing the Applicant, No-Burn Investments, L.L.C.

Registration of the present mark is sought in International Class 1. The identification of the goods is water-based fire retardant compositions for commercial and domestic use on fabrics, textiles, cloth, paper, wood and other porous materials such as on or in couches, mattresses, carpets, drapes, camping equipment, homes, autos, boats, and recreational vehicles.

Attached are prints from a TESS search conducted on this January 6th, 2016, as follows:

Record List Display for the search (Fabric Fire Gard)[COMB], 3 records found:

Serial No. 76/716,811 for NO-BURN FABRIC FIRE GARD (LIVE);
Serial No. 76/716,810 for FABRIC FIRE GARD (LIVE); and
Serial No. 76/529,667 for FABRIC FIRE GARD (DEAD).

Record List Display for the search (FireGuard)[COMB], 35 records found. These include LIVE files for the marks FIREGUARD 45®; FIREGUARD 45 (pending); FIREGUARD X®; FIREGUARD E-84®; FIREGUARD C®; and FIREGUARD® (6 registrations). Among all 35 records, the term, FIREGUARD," appears within 31 records; the term, "FYRGUARD," in 2 records; and the terms, "FIREGARD" and "RED-L FIREGARD," in one record each. No record is displayed for the two-word term, "FIRE GUARD," nor is any record displayed for the two-word term, "FIRE GARD."


Record List Display for the search (Fire Guard)[COMB], 76 records found. These include 21 LIVE files for the marks FIREGUARD 45 (pending); FIRE-GUARD® (2 records); FIREGARD®; FIRELINE 520 WALLGUARD SERIES®; FIREGUARD E-84®; SPRINKGUARD INDUSTRIAL STRENGTH PROTECTION FOR FIRE SUPPRESSION SYSTEMS®; HSI FIRE & SECURITY GROUP®; FIREGUARD C®; FYREGUARD®; FIREGARD®; FIRE-GARD®; FIRE-GUARD®; FIRE GUARD® (2 records); FIREGUARD® (6 records); and NO-BURN FABRIC FIRE GARD (pending) and FABRIC FIRE GARD (pending) – the Trademark Electronic Search System (TESS) records printed out on this January 6th for each of these also attached.

These help show – in addition to the Declaration of William Kish filed on June 15, 2015, and the Declaration by William Kish submitted herewith – that the present mark for use with the above-identified goods distinguishes over the other marks noted above, to include Reg. No. 3,869,687. Among other things, these illustrate perceptible differences in the marks, and the weak nature of the FireGuard mark.

The dates of use anywhere and use in commerce of the present mark for the above-identified goods are the same: as early as 1998. This was by the predecessor in title to the present Applicant. I am authorized to execute this declaration with this statement on behalf of the Applicant.

All statements made herein, of my own knowledge are true, and on information and belief are believed to be true, and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001, and that such willful false statements may jeopardize the validity of this application or any registration issued thereon.

Dated: January 6, 2016 A.D.


Christopher John Rudy (PTO #31873)



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Start List At: OR Jump to record: **3 Records(s) found (This page: 1 ~ 3)**

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Current Search: S1: (Fabric Fire Gard)[COMB] docs: 3 occ: 29

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	76716811		NO-BURN FABRIC FIRE GARD	TSDR	LIVE
2	76716810		FABRIC FIRE GARD	TSDR	LIVE
3	76529667		FABRIC FIRE GARD	TSDR	DEAD

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35 Records(s) found
(This page: 1 ~ 35)

Refine Search

Current Search: S1: (FireGuard)[COMB] docs: 35 occ: 68

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	86437072	4819694	FIREGUARD 45	TSDR	LIVE
2	86538546		FIREGUARD 45	TSDR	LIVE
3	86116678	4709147	FIREGUARD X	TSDR	LIVE
4	85106766	3950451	FIREGUARD E-84	TSDR	LIVE
5	78770289	3165229	FIREGUARD	TSDR	LIVE
6	77635900	4056670	FIREGUARD C	TSDR	LIVE
7	77957283	3869687	FIREGUARD	TSDR	LIVE
8	77652665		FIREGUARD X	TSDR	DEAD
9	77615423		FIREGARD	TSDR	DEAD
10	77489931		FIREGUARD	TSDR	DEAD
11	77412032		FIREGUARD-PRO	TSDR	DEAD
12	77220089	3758011	FIREGUARD	TSDR	LIVE
13	76419609	2697759	FIREGUARD	TSDR	DEAD
14	76371823		FIREGUARD	TSDR	DEAD
15	76106293		FIREGUARD FRZH	TSDR	DEAD
16	75720688	2443390	FIREGUARD LSZH	TSDR	DEAD
17	75713241		FIREGUARD COMMANDER	TSDR	DEAD
18	75476589		FIREGUARD	TSDR	DEAD
19	75476588		FIREGUARD	TSDR	DEAD
20	75476585	2355982	FIREGUARD	TSDR	DEAD
21	75476078		FIREGUARD	TSDR	DEAD
22	75338031	2201242	FIREGUARD	TSDR	DEAD

23	74442145	1878428	FIREGUARD	TSDR	LIVE
24	74734893		FIREGUARD	TSDR	DEAD
25	74734892		FIREGUARD	TSDR	DEAD
26	74657418		ELECTRO-FIREGUARD	TSDR	DEAD
27	74452758	1858314	FIREGUARD	TSDR	DEAD
28	74193364	1721248	FIREGUARD	TSDR	LIVE
29	74098364		FIREGUARD SBS "RELIABILITY WITH SAFETY"	TSDR	DEAD
30	73634999	1450237	FIREGUARD	TSDR	DEAD
31	73539903		FIREGUARD	TSDR	DEAD
32	73271450	1214819	RED-L FIREGARD	TSDR	DEAD
33	73169036	1124635	FYREGARD	TSDR	DEAD
34	73152351	1132967	FIREGUARD	TSDR	LIVE
35	72302693	0864796	FYRGUARD	TSDR	DEAD

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Current Search: S2: (Fire Guard)[COMB] docs: 76 occ: 255

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
1	86538546		FIREGUARD 45	TSDR	LIVE
2	85519481	4164768	FIRE-GUARD	TSDR	LIVE
3	85049078	4501995	FIREGARD	TSDR	LIVE
4	85020553	4074760	FIRELINE 520 WALLGUARD SERIES	TSDR	LIVE
5	85252686		FIREGARD	TSDR	DEAD
6	85246604		FIREGARD	TSDR	DEAD
7	85116551		ALPHAGEN FIREGARD	TSDR	DEAD
8	85106766	3950451	FIREGUARD E-84	TSDR	LIVE
9	85081182	3928343	SPRINKGUARD INDUSTRIAL STRENGTH PROTECTION FOR FIRE SUPPRESSION SYSTEMS	TSDR	LIVE
10	79118867		PHIREGUARD BY YOKE	TSDR	DEAD
11	78770289	3165229	FIREGUARD	TSDR	LIVE
12	78965096	3247656	FIREGARD	TSDR	DEAD
13	78417749		"BLAZEGARD" - CANYON FIRE SAFETY	TSDR	DEAD
14	78310405	3234170	HSI FIRE & SECURITY GROUP	TSDR	LIVE
15	77635900	4056670	FIREGUARD C	TSDR	LIVE
16	77957283	3869687	FIREGUARD	TSDR	LIVE
17	77857488		FIRE GUARD	TSDR	DEAD
18	77693277		FIRE-GARD FIRE RESISTANT TECHNOLOGY FROM MAR-BAL, INC. MBI MAR-BAL INCORPORATED PROUDLY MADE IN THE USA	TSDR	DEAD
19	77655945	3759983	FYREGUARD	TSDR	LIVE
20	77649197		FIREGUARDVENT	TSDR	DEAD
21	77281263	3592245	PACIFIC FIRE GUARD	TSDR	DEAD
22	77220089	3758011	FIREGUARD	TSDR	LIVE

23	76716811		NO-BURN FABRIC FIRE GARD	TSDR	LIVE
24	76716810		FABRIC FIRE GARD	TSDR	LIVE
25	76529667		FABRIC FIRE GARD	TSDR	DEAD
26	76419609	2697759	FIREGUARD	TSDR	DEAD
27	76371823		FIREGUARD	TSDR	DEAD
28	76319652		FIREGUAR	TSDR	DEAD
29	75939078		FIRE GUARD ONE	TSDR	DEAD
30	75873016		FIRE GUARD	TSDR	DEAD
31	75755320		HOME FIRE GUARD	TSDR	DEAD
32	75720688	2443390	FIREGUARD LSZH	TSDR	DEAD
33	75648124	2364165	HEARTH GUARD	TSDR	DEAD
34	75544047		THE LIGHT POLICE WATER PATROL AMBULANCEHIGHWAY PATROL COAST GUARD CIVIL AIR PATROL FIRE SHERIFF PERSONAL EMERGENCY LOCATOR	TSDR	DEAD
35	75476588		FIREGUARD	TSDR	DEAD
36	75476585	2355982	FIREGUARD	TSDR	DEAD
37	75476078		FIREGUARD	TSDR	DEAD
38	75338031	2201242	FIREGUARD	TSDR	DEAD
39	75148846		FIRE GUARD	TSDR	DEAD
40	74442145	1878428	FIREGUARD	TSDR	LIVE
41	74734893		FIREGUARD	TSDR	DEAD
42	74657418		ELECTRO-FIREGUARD	TSDR	DEAD
43	74622817		FIRE GUARD	TSDR	DEAD
44	74452758	1858314	FIREGUARD	TSDR	DEAD
45	74305984		FIREGARD SENTRY SAC	TSDR	DEAD
46	74287478		FIRE-GUARD	TSDR	DEAD
47	74265175		FIRE GUARD	TSDR	DEAD
48	74206913		FIRE-GUARD WOOD POLE OSMOSE	TSDR	DEAD
49	74204720		FIREGARD	TSDR	DEAD
50	74193364	1721248	FIREGUARD	TSDR	LIVE

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 [SEARCH](#) |
 [eBUSINESS](#) |
 [HELP](#) |
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Start

List
At:

OR

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to
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(This page: 51 ~ 76)

Refine Search

(Fire Guard)[COMB]

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Current Search: S2: (Fire Guard)[COMB] docs: 76 occ: 255

	Serial Number	Reg. Number	Word Mark	Check Status	Live/Dead
51	74158596	1675876	FIRE GUARD	TSDR	DEAD
52	74088453	1715873	FIREGARD	TSDR	LIVE
53	74085484		FIRE GUARD	TSDR	DEAD
54	73812367	1586780	FIRE GUARD	TSDR	LIVE
55	73810468		FIREGARD	TSDR	DEAD
56	73635000	1451613	FIRE GUARD	TSDR	DEAD
57	73634999	1450237	FIREGUARD	TSDR	DEAD
58	73594179		FIRE GUARD	TSDR	DEAD
59	73539903		FIREGUARD	TSDR	DEAD
60	73523424	1356612	FIRE-GUARD	TSDR	LIVE
61	73373437	1255188	FIRE-GARD	TSDR	LIVE
62	73359323	1310030	FIRE GUARD	TSDR	DEAD
63	73290256		FIRE GUARD LITE (PLUS OTHER NOTATIONS)	TSDR	DEAD
64	73057576	1064341	FIRE GUARD	TSDR	LIVE
65	72369676	0954837	RUBEROID FIRE-GUARD	TSDR	DEAD
66	72313950	0883843	FIREGARD	TSDR	DEAD
67	72278155	0862257	FYR-GARD	TSDR	DEAD
68	72269739	0855410	FIRE-GARD	TSDR	DEAD
69	72252542	0867771	FIREGARD	TSDR	DEAD
70	72247744	0830388	FIRE GARD	TSDR	DEAD
71	72247743	0829956	FIRE GARD	TSDR	DEAD
72	71530250	0533541	FIRE-GUARD	TSDR	DEAD
73	71518830	0440335		TSDR	DEAD

			GENERAL QUICK AID SNO FOG FIRE GUARD CD		
74	71514952	0439386	GENERAL QUICK AID FIRE GUARD	TSDR	DEAD
75	71358095	0322478	FIRE GUARD	TSDR	DEAD
76	81012207	1012207	FIRE-GUARD BM	TSDR	DEAD

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 List At: OR to record: **Record 1 out of 76**

TSDR	Available Names	Trade Status
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FIREGUARD 45

Word Mark	FIREGUARD 45
Goods and Services	IC 019. US 001 012 033 050. G & S: Gypsum board
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	01.15.03 - Fire (flames), other than emanating from objects, words, numbers, fireplaces or candles; Flames, other than flames emanating from objects, words, numbers, fireplaces or candles
Serial Number	86538546
Filing Date	February 18, 2015
Current Basis	1B
Original Filing Basis	1B
Published for Opposition	July 28, 2015
Owner	(APPLICANT) Georgia-Pacific Gypsum LLC LIMITED LIABILITY COMPANY DELAWARE 133 Peachtree Street, N.E. Atlanta GEORGIA 30303
Attorney of Record	Katelyn Andrews
Prior Registrations	3165229;4056670
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "45" APART FROM THE MARK AS SHOWN

Description of Mark	Color is not claimed as a feature of the mark. The mark consists of the word "FIREGUARD" and to the right of "FIREGUARD" the number "45" positioned inside an image of a flame.
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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FIRE-GUARD

Word Mark FIRE-GUARD
Goods and Services IC 002. US 006 011 016. G & S: Fire protective coating for wood utility poles. FIRST USE: 19920100. FIRST USE IN COMMERCE: 19920100
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85519481
Filing Date January 18, 2012
Current Basis 1A
Original Filing Basis 1A
Published for Opposition April 10, 2012
Registration Number 4164768
Registration Date June 26, 2012
Owner (REGISTRANT) Osmose, Inc. CORPORATION NEW YORK 980 Ellicott Street Buffalo NEW YORK 14209

(LAST LISTED OWNER) OSMOSE UTILITIES SERVICE, INC. CORPORATION DELAWARE 215 GREENCASTLE ROAD TYRONE GEORGIA 302902944

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Kenneth D. Suzan
Type of Mark TRADEMARK

Register PRINCIPAL
Live/Dead Indicator LIVE

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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC
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TSDR	Available Status	FILE Status
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FIREGARD

Word Mark FIREGARD
Goods and Services IC 009, US 021 023 026 036 038, G & S: (Based on 44(e)) measuring apparatus, namely, gas sensors for measuring gas concentration and (Based on Use in Commerce) measuring apparatus, namely, electric control panels for gas sensors for measuring gas concentration.
 FIRST USE: 20140116, FIRST USE IN COMMERCE: 20140116

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 85049078
Filing Date May 27, 2010
Current Basis 1A;44E
Original Filing Basis 1B;44D
Published for Opposition April 26, 2011
Change in Registration CHANGE IN REGISTRATION HAS OCCURRED
Registration Number 4501995
Registration Date March 25, 2014
Owner

(REGISTRANT) Dräger Safety AG & Co. KGaA CORPORATION FED REP GERMANY Revalstr.
1 Lübeck FED REP GERMANY 23560

Attorney of Record Amy Wright
Priority Date May 12, 2010
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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 List At: OR to record: **Record 4 out of 76**

TSDR	ANNUAL REPORT	TESS HELP
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Fireline 520

WallGuard Series

Word Mark FIRELINE 520 WALLGUARD SERIES

Goods and Services IC 017. US 001 005 012 013 035 050. G & S: Factory assembled fire-barriers comprised of insulating fireproof textiles in symmetrically arranged layers. FIRST USE: 20100405. FIRST USE IN COMMERCE: 20100501

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design Search Code 01.15.15 - Fire (flames), emanating from objects, words or numbers

Serial Number 85020553

Filing Date April 22, 2010

Current Basis 1A

Original Filing Basis 1B

Published for Opposition October 5, 2010

Registration Number 4074760

Registration Date December 20, 2011

Owner (REGISTRANT) Fireline 520, LLC LIMITED LIABILITY COMPANY NEW YORK 803-B Walden Avenue Buffalo NEW YORK 14211

(LAST LISTED OWNER) INPRO CORPORATION CORPORATION WISCONSIN S80 W18766 APOLLO DRIVE MUSKEGO WISCONSIN 53150

Assignment Recorded ASSIGNMENT RECORDED

Attorney of Record Patricia M. Costanzo

Prior Registrations 3336727;3810515

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "SERIES" APART FROM THE MARK AS SHOWN

Description of Mark The color(s) black, orange, yellow, white and light brown is/are claimed as a feature of the mark. The mark consists of the black wording and black number: "Fireline 520 WallGuard Series", wherein the numeral "520" is stylized with a colored flame inside of the "0" and the word "Series" is superimposed over an orange, yellow and light brown flame.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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 List At: OR to record: **Record 8 out of 76**

TSDR	Available Status	Final Status
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 (Use the "Back" button of the Internet Browser to return to TESS)

FireGuard E-84

Word Mark FIREGUARD E-84
Goods and Services IC 002. US 006 011 016. G & S: Fire retardant paints; Water based fire retardant coatings for building construction materials. FIRST USE: 20100304. FIRST USE IN COMMERCE: 20100311
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 85106766
Filing Date August 13, 2010
Current Basis 1A
Original Filing Basis 1A
Published for Opposition February 8, 2011
Registration Number 3950451
Registration Date April 26, 2011
Owner (REGISTRANT) Shield Industries, Inc. DBA Shield Industries, Inc. CORPORATION
 GEORGIA 131 Smokehill Lane Woodstock GEORGIA 30188
Prior Registrations 3869687
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "E-84" APART FROM THE MARK AS SHOWN
Type of Mark TRADEMARK
Register PRINCIPAL

Live/Dead Indicator LIVE

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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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 List At: OR to record: **Record 9 out of 76**

TSDR	AVAILABLE STATUS	FILED STATUS
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 (Use the "Back" button of the Internet Browser to return to TESS)


Word Mark SPRINGGUARD INDUSTRIAL STRENGTH PROTECTION FOR FIRE SUPPRESSION SYSTEMS
Goods and Services IC 009. US 021 023 026 036 038. G & S: Sprinkler head guards for fire sprinkler systems. FIRST USE: 20100401. FIRST USE IN COMMERCE: 20100401

Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS

Design 01.15.18 - More than one drop including teardrops or raindrops; multiple drops (rain, tear, etc.); Raindrops (more than a single drop); Teardrops (more than a single drop)

Search Code 14.07.06 - Agricultural implements (non-motorized), Water sprinklers; Farm equipment, agricultural implements (non-motorized), Water-sprinklers; Sprinklers (water)
 14.07.25 - Aerators, soil, non-motorized; Garden equipment, spreaders (non-motorized); Grass seeders
 26.17.01 - Bands, straight; Bars, straight; Lines, straight; Straight line(s), band(s) or bar(s)
 26.17.05 - Bands, horizontal; Bars, horizontal; Horizontal line(s), band(s) or bar(s); Lines, horizontal

Serial Number 85081182

Filing Date July 9, 2010

Current Basis 1A

Original Filing Basis 1A

Published for Opposition December 21, 2010

Registration Number 3928343

Registration Date March 8, 2011

Owner (REGISTRANT) Midwest Fabrications LIMITED LIABILITY COMPANY INDIANA 16100 Branchwood Lane Granger INDIANA 46530

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "INDUSTRIAL STRENGTH PROTECTION FOR FIRE SUPPRESSION SYSTEMS" APART FROM THE MARK AS SHOWN

Description of Mark Color is not claimed as a feature of the mark. The mark consists of the text "SprinkGuard" as one word. "Sprink" is in a splash-like italics font, "Guard" is in a bold block font. The "i" in "Sprink" is dotted by a picture of the guard over a sprinkler head, gushing water out of the top. A line is across the top of the words, broken only where parts of the letters in "SprinkGuard" and the "i" dot break through, and a line is halfway across the bottom. The bottom line is followed by the phrase "INDUSTRIAL STRENGTH PROTECTION FOR FIRE SUPPRESSION SYSTEMS" in all caps.

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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 List At: OR to record: **Record 11 out of 76**

TSDR	REGISTER STATUS	FILE STATUS
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Fireguard

Word Mark FIREGUARD
Goods and Services IC 019, US 001 012 033 050, G & S: gypsum board and plaster board. FIRST USE: 19971231, FIRST USE IN COMMERCE: 19971231
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 78770289
Filing Date December 9, 2005
Current Basis 1A
Original Filing Basis 1A
Published for Opposition August 15, 2006
Registration Number 3165229
Registration Date October 31, 2006
Owner (REGISTRANT) G-P Gypsum Corporation CORPORATION DELAWARE 133 Peachtree Street, NE Atlanta GEORGIA 30303

 (LAST LISTED OWNER) GEORGIA-PACIFIC GYPSUM LLC LIMITED LIABILITY COMPANY DELAWARE 133 PEACHTREE STREET NE ATLANTA GEORGIA 30303
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Katelyn Andrews
Prior Registrations 1586780

Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15, SECT 8 (6-YR).
Live/Dead Indicator LIVE

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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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 List At: OR to record: **Record 14 out of 76**

TSDR	ASSIGNMENT	FILE STATUS
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 (Use the "Back" button of the Internet Browser to return to TESS)


Word Mark HSI FIRE & SECURITY GROUP
Goods and Services IC 009. US 021 023 026 036 038. G & S: ALARM TESTING DEVICE USED TO CHECK THE FUNCTION AND EFFECTIVENESS OF SMOKE, CARBON MONOXIDE, HEAT AND OTHER FIRE ALARM DETECTORS. FIRST USE: 20030630. FIRST USE IN COMMERCE: 20030630
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 01.15.03 - Fire (flames), other than emanating from objects, words, numbers, fireplaces or candles; Flames, other than flames emanating from objects, words, numbers, fireplaces or candles
 01.15.15 - Fire (flames), emanating from objects, words or numbers
 26.11.03 - Incomplete rectangles; Rectangles (incomplete)
Serial Number 78310405
Filing Date October 7, 2003
Current Basis 1A
Original Filing Basis 1B
Published for Opposition August 16, 2005
Registration Number 3234170
Registration Date April 24, 2007
Owner (REGISTRANT) Home Safeguard Industries, LLC LIMITED LIABILITY CORPORATION
 DELAWARE Suite 336 175 E. Hawthorn Pkwy Vernon Hills ILLINOIS 60061

(LAST LISTED OWNER) HSI FIRE & SAFETY GROUP LLC LIMITED LIABILITY COMPANY
ILLINOIS 107 GARLISCH DRIVE ELK GROVE ILLINOIS 60007

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Andrew L. Goldstein
Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FIRE & SECURITY GROUP" APART FROM THE MARK AS SHOWN
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR).
Live/Dead Indicator LIVE

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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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 List At: OR to record: **Record 15 out of 76**

TSDR	AVAILABILITY	FILE STATUS
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 (Use the "Back" button of the Internet Browser to return to TESS)

FIREGUARD C

Word Mark FIREGUARD C
Goods and Services IC 019. US 001 012 033 050. G & S: gypsum board and plaster board. FIRST USE: 20010100. FIRST USE IN COMMERCE: 20010100
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 77635900
Filing Date December 18, 2008
Current Basis 1A
Original Filing Basis 1B
Published for Opposition February 15, 2011
Registration Number 4056670
Registration Date November 15, 2011
Owner (REGISTRANT) Georgia-Pacific Gypsum LLC LIMITED LIABILITY COMPANY DELAWARE GA030-41N 133 Peachtree Street NE Atlanta GEORGIA 30303
Attorney of Record Katelyn Andrews
Prior Registrations 1586780;3165229
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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 List At: OR to record: **Record 16 out of 76**

TSDR	Available from	TESS Status
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FireGuard

Word Mark FIREGUARD
Goods and Services IC 001. US 001 005 006 010 026 046. G & S: Fire retardant chemicals. FIRST USE: 20030226. FIRST USE IN COMMERCE: 20030301
Standard Characters Claimed
Mark Drawing Code (4) STANDARD CHARACTER MARK
Serial Number 77957283
Filing Date March 12, 2010
Current Basis 1A
Original Filing Basis 1A
Published for Opposition August 17, 2010
Registration Number 3869687
Registration Date November 2, 2010
Owner (REGISTRANT) Shield Industries, Inc. DBA Shield Industries, Inc CORPORATION
 GEORGIA 131 Smokehill Lane Woodstock GEORGIA 30115
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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List At: OR to record: **Record 19 out of 76**

[TSDR](#) [Assessment](#) [Link Matrix](#) (Use the "Back" button of the Internet Browser to return to TESS)

FyreGuard

Word Mark	FYREGUARD
Goods and Services	IC 006, US 002 012 013 014 023 025 050, G & S: ventilating ducts of metal; metal chimneys; all of the foregoing for use in food service applications. FIRST USE: 20061001. FIRST USE IN COMMERCE: 20061001
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	77655945
Filing Date	January 24, 2009
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	December 29, 2009
Registration Number	3759983
Registration Date	March 16, 2010
Owner	(REGISTRANT) The Schebler Co. CORPORATION ILLINOIS 5665 Fenno Road Bettendorf IOWA 52722
Attorney of Record	Jay R. Hamilton
Type of Mark	TRADEMARK
Register	PRINCIPAL

Live/Dead Indicator LIVE

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 List At: OR to record: **Record 22 out of 76**

TSDR	Added Status	TRAB Status
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 (Use the "Back" button of the Internet Browser to return to TESS)

Fireguard

Word Mark
Goods and Services
 FIREGUARD
 IC 001. US 001 005 006 010 026 046. G & S: Flame retardant unprocessed plastic compounds used in the manufacture of wire and cable; unprocessed plastic compounds used in the wire and cable industries; and unprocessed plastic compounds for use in plastic extrusion operations. FIRST USE: 19881231. FIRST USE IN COMMERCE: 19881231

IC 017. US 001 005 012 013 035 050. G & S: Flame retardant semi-processed plastic compounds used in the manufacture of wire and cable; semi-processed plastic compounds used in the wire and cable industries; and semi-processed plastic compounds for use in plastic extrusion operations. FIRST USE: 19881231. FIRST USE IN COMMERCE: 19881231

Standard Characters Claimed
Mark Drawing Code
 (4) STANDARD CHARACTER MARK

Serial Number
 77220089

Filing Date
 July 2, 2007

Current Basis
 1A

Original Filing Basis
 1A

Published for Opposition
 September 23, 2008

Registration Number
 3758011
 0930378

**International
Registration
Number****Registration Date** March 9, 2010**Owner** (REGISTRANT) Teknor Apex Company CORPORATION DELAWARE 505 Central Avenue Pawtucket RHODE ISLAND 02861**Attorney of Record** LuAnn Cserr**Prior Registrations** 1721248;2443390**Type of Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE

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TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DOC	SEARCH OG	BOTTOM	HELP	PREV LIST	CURR LIST	NEXT LIST
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 List At: OR to record: **Record 23 out of 76**

TSDR	Back Button	Forward Button
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NO-BURN FABRIC FIRE GARD

Word Mark NO-BURN FABRIC FIRE GARD

Goods and Services IC 001. US 001 005 006 010 026 046. G & S: Water-based fire retardant compositions for commercial and domestic use on fabrics, textiles, cloth, paper, wood and other porous materials such as on or in couches, mattresses, carpets, drapes, camping equipment, homes, autos, boats, and recreational vehicles. FIRST USE: 20010000. FIRST USE IN COMMERCE: 20010000

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 76716811

Filing Date August 25, 2014

Current Basis 1A

Original Filing Basis 1A

Owner (APPLICANT) No-Burn Investments, L.L.C. LIMITED LIABILITY COMPANY OHIO 1392 High Street, Suite 211 Wadsworth OHIO 44281

Attorney of Record Christopher John Rudy

Prior Registrations 2464868;3152635

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FABRIC FIRE" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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FIRST DOC	PREV DOC	NEXT DOC	LAST DOC
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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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 List At: OR to record: **Record 24 out of 76**

TSDR	Applicant Status	Legal Status
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 (Use the "Back" button of the Internet Browser to return to TESS)

FABRIC FIRE GARD

Word Mark FABRIC FIRE GARD

Goods and Services IC 001. US 001 005 006 010 026 046. G & S: Water-based fire retardant compositions for commercial and domestic use on fabrics, textiles, cloth, paper, wood and other porous materials such as on or in couches, mattresses, carpets, drapes, camping equipment, homes, autos, boats, and recreational vehicles. FIRST USE: 20010000. FIRST USE IN COMMERCE: 20010000

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 76716810

Filing Date August 25, 2014

Current Basis 1A

Original Filing Basis 1A

Owner (APPLICANT) No-Burn Investments, L.L.C. LIMITED LIABILITY COMPANY OHIO 1392 High Street, Suite 211 Wadsworth OHIO 44281

Attorney of Record Christopher John Rudy

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FABRIC FIRE" APART FROM THE MARK AS SHOWN

Type of Mark TRADEMARK

Register PRINCIPAL

Live/Dead Indicator LIVE

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List At: OR to record: Record 40 out of 76

TSDR [Available Status](#) [Table Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark FIREGUARD
Goods and Services IC 006. US 002 013. G & S: above-ground metal storage tanks for liquids. FIRST USE: 19940413. FIRST USE IN COMMERCE: 19940413
Mark Drawing Code (1) TYPED DRAWING
Serial Number 74442145
Filing Date September 30, 1993
Current Basis 1A
Original Filing Basis 1B
Published for Opposition November 22, 1994
Registration Number 1878428
Registration Date February 14, 1995
Owner (REGISTRANT) Steel Tank Institute CORPORATION ILLINOIS 570 Oakwood Road Lake Zurich ILLINOIS 60047
(LAST LISTED OWNER) STI/SPFA GENERAL NOT FOR PROFIT CORPORATION ILLINOIS 570 OAKWOOD ROAD LAKE ZURICH ILLINOIS 60047
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Christopher J. Verstrate
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20140905.
Renewal 2ND RENEWAL 20140905
Live/Dead Indicator LIVE

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Start List At: OR Jump to record: Record 50 out of 76

TSDR Available Status TRADE STATUS (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark FIREGUARD
Goods and Services IC 001, US 001 005 006 010 026 046. G & S: plastic compound used in the manufacture of electrical jackets and as insulation for electrical cables, in the telecommunications and data-transmission industries. FIRST USE: 19901102. FIRST USE IN COMMERCE: 19901102
Mark Drawing Code (1) TYPED DRAWING
Serial Number 74193364
Filing Date August 12, 1991
Current Basis 1A
Original Filing Basis 1A
Published for Opposition July 14, 1992
Registration Number 1721248
Registration Date October 6, 1992
Owner (REGISTRANT) TEKNOR APEX COMPANY CORPORATION DELAWARE 505 Central Avenue Pawtucket RHODE ISLAND 028611900
Attorney of Record LuAnn Cserr
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15, SECT 8 (6-YR), SECTION 8(10-YR) 20121126.
Renewal 2ND RENEWAL 20121126
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 List At: OR to record: **Record 52 out of 76**

TSDR	Available Status	Final Status
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Typed Drawing

Word Mark	FIREGARD
Goods and Services	IC 024. US 042. G & S: fire retardant fabrics for use in the manufacture of household goods, upholstery and the like. FIRST USE: 19890301. FIRST USE IN COMMERCE: 19890301
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	74088453
Filing Date	August 16, 1990
Current Basis	1A
Original Filing Basis	1B
Published for Opposition	June 23, 1992
Registration Number	1715873
Registration Date	September 15, 1992
Owner	(REGISTRANT) SPRINGS INDUSTRIES, INC. CORPORATION SOUTH CAROLINA 205 North White Street Fort Mill SOUTH CAROLINA 29715 (LAST LISTED OWNER) SPRINGS CREATIVE PRODUCTS GROUP, LLC LIMITED LIABILITY COMPANY SOUTH CAROLINA 300 CHARTHAM AVE., SUITE 100 ROCK HILL SOUTH CAROLINA 29730
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Jayne Conway Hunter
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20120918.
Renewal	2ND RENEWAL 20120918 LIVE

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Start List At: OR Jump to record: **Record 54 out of 76**

[TSDR](#) | [ADDENDUM](#) | [FILE MARK](#) (Use the "Back" button of the Internet Browser to return to TESS)



Word Mark FIRE GUARD
Goods and Services IC 019. US 012. G & S: GYPSUM BOARD AND PLASTER BOARD. FIRST USE: 19851001. FIRST USE IN COMMERCE: 19851001
Mark Drawing Code (3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code 26.11.21 - Rectangles that are completely or partially shaded
Serial Number 73812367
Filing Date July 7, 1989
Current Basis 1A
Original Filing Basis 1A
Published for Opposition December 19, 1989
Registration Number 1586780
Registration Date March 13, 1990
Owner (REGISTRANT) DOMTAR INC. CORPORATION CANADA 395 DE MAISONNEUVE BLVD., WEST MONTREAL CANADA H3A 1L6

 (LAST LISTED OWNER) GEORGIA-PACIFIC GYPSUM LLC LIMITED LIABILITY COMPANY DELAWARE 133 PEACHTREE STREET NE ATLANTA GEORGIA 30303
Assignment Recorded ASSIGNMENT RECORDED

Description of Mark THE DRAWING IS LINED FOR THE COLOR RED.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20001214.
Renewal 1ST RENEWAL 20001214
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NEXT LIST	FIRST DOC	PREV DOC	NEXT DOC	LAST DOC					

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 List At: OR to record: **Record 60 out of 76**

TSDR	Available	TABLE Marking
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 (Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark FIRE-GUARD
Goods and Services IC 017. US 005 012. G & S: ELONGATED VINYL FIRE-RESISTANT TAPE HAVING A PRESSURE SENSITIVE ADHESIVE ON ONE SIDE. FIRST USE: 19780101. FIRST USE IN COMMERCE: 19780101
Mark Drawing Code (1) TYPED DRAWING
Serial Number 73523424
Filing Date February 22, 1985
Current Basis 1A
Original Filing Basis 1A
Published for Opposition June 18, 1985
Registration Number 1356612
Registration Date August 27, 1985
Owner (REGISTRANT) MANCO, INC. CORPORATION OHIO 830 CANTERBURY ROAD WESTLAKE OHIO 44145

 (LAST LISTED OWNER) HENKEL CORPORATION CORPORATION DELAWARE 1001 Trout Brook Crossing Rocky Hill CONNECTICUT 06067

Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record Karl S. Sawyer, Jr.
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20050922.
Renewal 1ST RENEWAL 20050922
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Start List At: OR Jump to record: Record 61 out of 76

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Typed Drawing

Word Mark	FIRE-GARD
Goods and Services	IC 009. US 021. G & S: Fire Rated Through Floor Electrical Service Fitting for Extension of Power Wiring and Communication Wiring and Fire Rated Abandoning Outlet Plate for Use When Service Fitting Is Removed. FIRST USE: 19790314. FIRST USE IN COMMERCE: 19790314
Mark Drawing Code	(1) TYPED DRAWING
Serial Number	73373437
Filing Date	July 6, 1982
Current Basis	1A
Original Filing Basis	1A
Published for Opposition	August 2, 1983
Registration Number	1255188
Registration Date	October 25, 1983
Owner	(REGISTRANT) SQUARE D COMPANY CORPORATION MICHIGAN 1415 SOUTH ROSELLE ROAD PALATINE ILLINOIS 60067 (LAST LISTED OWNER) SCHNEIDER ELECTRIC USA, INC. CORPORATION DELAWARE 1415 S. ROSELLE ROAD IP GROUP, LEGAL DEPT. PALATINE ILLINOIS 60067
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	DAVID RUSSELL STACEY
Type of Mark	TRADEMARK
Register	PRINCIPAL
Affidavit Text	SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20040113.
Renewal	1ST RENEWAL 20040113

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Start List At: OR Jump to record: Record 64 out of 76

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Typed Drawing

Word Mark FIRE GUARD
Goods and Services IC 009, US 021, G & S: ELECTRO-MAGNETIC DOOR HOLDER AND RELEASERS SOLD WITH OR WITHOUT DETECTORS TO ACTIVATE SUCH HOLDER AND RELEASERS UPON CHANGE IN AMBIENT CONDITIONS. FIRST USE: 19750530. FIRST USE IN COMMERCE: 19750530
Mark Drawing Code (1) TYPED DRAWING
Serial Number 73057576
Filing Date July 14, 1975
Current Basis 1A
Original Filing Basis 1A
Change In Registration CHANGE IN REGISTRATION HAS OCCURRED
Registration Number 1064341
Registration Date April 26, 1977
Owner (REGISTRANT) WALTER KIDDE & COMPANY, INC. CORPORATION NEW YORK 9 BRIGHTON ROAD CLIFTON NEW JERSEY 07012
(LAST LISTED OWNER) SARGENT MANUFACTURING COMPANY CORPORATION ASSIGNEE OF DELAWARE 100 SARGENT DRIVE NEW HAVEN CONNECTICUT 06511
Assignment Recorded ASSIGNMENT RECORDED
Attorney of Record ANTHONY P. DELIO
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15. SECT 8 (6-YR). SECTION 8(10-YR) 20070522.
Renewal 2ND RENEWAL 20070522

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